

Bill No. 2324-06

No. 06-06-OR

AN ORDINANCE

An Ordinance Repealing the Rules and Regulations of the Department of Parks, Recreation and Conservation as established by Ordinance on January 1, 1977 and amended by Ordinance on June 14, 1982 to aid in the preservation of County property and promoting and preserving the public health, safety and welfare in the parks owned and maintained by the County of Allegheny, and replacing such Rules and Regulations with Parks Department Regulations.

WHEREAS, Allegheny County, pursuant to the authority granted under the Second Class County Code, 16 P.S. §6028, created Rules and Regulations for the former Department of Parks, Recreation and Conservation by Ordinance on January 1, 1977 and amended those Rules and Regulations by Ordinance on June 14, 1982; and

WHEREAS, the Department of Parks, Recreation and Conservation has since been succeeded by the Department of Parks; and

WHEREAS, Allegheny County Council is granted the power to adopt, amend and repeal ordinances by Article IV, Section 2(a) of the Home Rule Charter; and

WHEREAS, it is the desire of Council to revisit the Rules and Regulations of the Department of Parks, Recreation and Conservation with the purpose of bringing such rules into conformity with the current needs of the Department of Parks in promoting and preserving the public health, safety and welfare in the parks owned and maintained by the County of Allegheny;

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1.

Articles I, II, III and IV of the Rules and Regulations for the Department of Parks, Recreation and Conservation are hereby repealed and replaced with the following Parks Department Regulations:

RULES AND REGULATIONS ARTICLE 1 – PROHIBITED ACTIVITIES

The below-listed activities are specifically prohibited in any area lying within a County Park. Exceptions to these prohibitions will be recognized only upon possession and presentation of a written authorization signed by the Director of the Parks Department, by signs posted by authorized representatives of the Director, or by immediate direction of a County Police Officer.

Section 1. Motor Vehicles

- a) Driving or parking on grass areas or trails;
- b) Cleaning, polishing, washing, greasing, lubricating or repairing;
- c) Landing any aircraft;
- d) Operating any motorized conveyance including but not limited to snowmobiles, motor boats, all terrain vehicles, motorcycles, or motor scooters except that street licensed vehicles may be used in parking lots, or roads open to traffic.

Section 2. Shrubs, Flowers, Trees, Grass, Turf, Soil, or Rock Formations

- a) Picking, cutting, breaking, digging, defacing or injuring in any way.

Section 3. Buildings, Structures, or Park Facilities

- a) Damaging, defacing, or misusing in any way.

Section 4. Waste Paper, Garbage, and Refuse

- a) Scattering or depositing except in appropriate receptacles;
- b) Failing to clean up and place all picnic waste paper, garbage, and refuse in receptacles provided for that purpose;
- c) Depositing in park receptacles waste paper, garbage or refuse except for that generated in the park by normal or permitted park activities such as picnicking.

Section 5. Animals and, Birds and Fish

- a) Except as specifically authorized by the Parks Department, molesting, trapping, hunting, capturing, killing or injuring any bird or mammal;
- b) Abandoning animals or birds within the Park.

Section 6. Lakes, Streams, and Fountains

- a) Wading, Swimming or Diving;
- b) Discharging of any types of waste or toxic materials into, or otherwise contaminating, any lake, stream or fountain.

Section 7. Advertising

- a) Posting or distributing any notice signs, advertisements, or handbills, including political signs or notices in areas other than buildings and groves where a permit has been issued;
- b) Posting regarding permitted park activities may be authorized by the Parks Department or by permit but must be removed by sunset of each day.

Section 8. Weapons and Explosives

- a) Discharge of any firearm or weapon including but not limited to handguns, rifles, shotguns, crossbow, bow and arrow, air rifle or pistol, any devise firing a projectile by compressed gas or spring, such as paintball devices or as otherwise specifically allowed by permit issued by the Parks Department;
- b) Brandishing of a firearm or weapon including but not limited to handguns, rifles, shotguns, crossbow, bow and arrow, air riffle or pistol, any devise firing a projectile by compressed gas or spring, such as paintball devices except as

otherwise specifically allowed by permit issued by the Parks Department. Firearms may be transported through the Park if kept in a car trunk, enclosed in a case, or otherwise inaccessible to use. Nothing contained herein shall prohibit any person licensed under the Pennsylvania Uniform Firearms Act, 18 P.S. §6109 from possession of a firearm as defined in Pennsylvania Uniform Firearms Act, 18 P.S. §6102.

Section 9. Merchandising

- a) Offering, distributing, supplying, renting, or selling any literature, commodity, article, material, equipment, service or supply, except by those doing so pursuant to Article II, Sections 4 and 5 of these Regulations.

Section 10. Noise

- a) Using electrical amplifying equipment.

Section 11. Alcoholic Beverages

- a) All alcoholic beverages in glass containers;
- b) Possession of an alcoholic beverage in an open container or consumption of alcoholic beverages in areas other than buildings or groves where a permit has been issued under the provisions of Article II, Section 10 of these Regulations.

Section 12. Bottled Beverages

- a) All ~~beverages~~ in glass containers.

ARTICLE II – REGULATED ACTIVITIES

The below-listed activities are permitted in any area lying within a County Park but are subject to the regulations indicated herein and those conspicuously posted in the appropriate area.

Section 1. Recreational Activities

- a) Picnicking, swimming, tennis, golf, skating, bicycling, skiing, sledding, baseball, softball, basketball, soccer, football, boating, fishing, horseback riding, horseshoe pitching, model powered aircraft flying, rollerblading, skate boarding and related and similar forms of recreation are permitted only in areas designed for such use and in no case shall such use be permitted in areas where park facilities or areas may be damaged.

Section 2. Fires

- a) Fires are permitted only in stoves, fireplaces, grills or similar designated areas and facilities and must be thoroughly extinguished before leaving the area;
- b) Matches, cigars, cigarettes, charcoal, and all flammable materials must be thoroughly extinguished before being disposed of;
- c) Smoking shall be prohibited in any area of the park so designated. Smoking shall be prohibited in any designated playground area in accordance with County Ordinance No. 25-00.

Section 3. Animals

- a) Domestic animals are permitted only when on a leash, except in designated Off-Leash Dog Areas;
- b) Horses are permitted only on designated horse trails and roads.

Section 4. Sale of Food and Refreshments

- a) Food and refreshments may be sold only by concessionaires approved by the Parks Department, and may only be sold pursuant to the provisions of their respective concession agreements;
- b) If food and refreshment concessionaires are unwilling to provide such service at special events, the holders of the appropriate permits may provide refreshments to the public subject to approval and conditions imposed by the Director of the Parks Department.

Section 5. Charging Admission for Permit Areas and Buildings

- a) The holders of permits for special-use areas who are engaged in a non-profit making enterprise may charge the public for admission to an event. Such a charge is subject to the approval of the Director at least one week prior to the date of the permit.

Section 6. Public Gatherings

- a) Meetings, assemblies, parades or related forms of public gatherings will be permitted upon possession and presentation of a written authorization signed by the Director of the Parks Department.

Section 7. Use of Permit Facilities

- a) Permits are required to reserve buildings, shelters, groves, athletic fields and other facilities.

Section 8. Fishing

- a) Fishing, as regulated by the Pennsylvania Fish Commission, is permitted between the hours of sunrise and midnight at designated areas within North Park and from 8:00 AM to sundown at designated areas within Deer Lakes Park.

Section 9. Park Hours

- a) At North and South Parks, the Park Hours are from sunrise to midnight. At all other parks, the Park Hours are from 8:00 AM to sundown.

Section 10. Alcoholic Beverages

- a) Consumption of alcoholic beverages shall be limited to groves and buildings where a permit has been issued.

ARTICLE III – PENALTIES

- Section 1.** Any person violating any of the provisions of this Ordinance shall be guilty of a summary offense, and upon conviction thereof shall pay a fine of not less than one hundred (\$100.00) dollars, or more than three hundred (\$300.00) dollars.

Section 2. Should any holder of a permit issued by the Director of the Parks Department under the provisions of these Regulations be convicted of violating any provision of this Ordinance, such conviction shall be cause for revocation of any current permits. The Director of the Parks Department may, at his or her discretion, also consider such convictions when evaluating applications for future permits.

Section 3. Each violation hereunder shall constitute a separate offense, subject to the penalties provided in Sections 1 and 2 of this Article.

ARTICLE IV – EFFECTIVE DATE

This Ordinance shall become effective 30 days from the date of passage.

SECTION 2. *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

SECTION 3. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

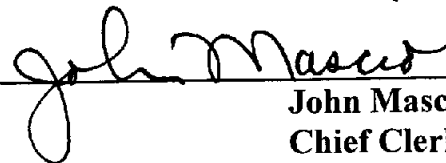
SPONSORED BY COUNCIL MEMBER GASTGEB

Enacted in Council, this 21st day of MARCH, 2006


Council Agenda No. 2324-06



Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office MARCH 27, 2006

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna Beltz
Executive's Secretary